

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
THURSDAY, OCTOBER 6, 1983

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Thursday, October 6, 1983 in the City Hall Council Chambers.

ROLL CALL

Present: Council Members - Pinkerton, Snider,
Murphy, Reid, and
Olson (Mayor)

Absent: Council Members - None

Also Present: City Manager Graves, Assistant City
Manager Glenn, Community Development
Director Schroeder, City Attorney Stein,
and City Clerk Reimche

INVOCATION The invocation was given by Pastor Robert Lewis, Lodi Avenue Baptist Church

PLEDGE The Pledge of Allegiance was led by Mayor Olson

PRESENTATIONS

PROCLAMATIONS Mayor Olson presented a Proclamation to Mr. Phil Frieders proclaiming "National Emphy the Handicapped Week"

CONTRIBUTION
RECEIVED FROM
OLD LODI UNION
HIGH SCHOOL

Mr. Ken Boyd of the "Old Union High School Site Foundation" presented a check to the Council in the amount of \$27,000. Council expressed its sincere appreciation to the Foundation for its ongoing efforts on behalf of this project.

Further, on motion of Council Member Reid, Pinkerton second, Council appropriated a matching amount (\$27,000) to be used for design or construction at the site.

CONSENT CALENDAR

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pinkerton, Murphy second, approved the following actions hereinafter set forth.

* * * * *

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$3,208,602.17

City Manager Graves presented the following bids which had been received for asphalt materials for second and third quarters F.Y. 1983-84:

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ASPHALT
MATERIALS FOR
2ND AND 3RD
QUARTERS FOR
F.Y. 1983-84

On recommendation of City Manager Glaves, Council adopted Resolution No. 83-110 awarding the bid for asphalt materials for the second and third quarters of fiscal year 1983-84 as follows:

Claude C. Wood Co.

Item No. 1A and B
Item No. 2A

Granite Construction	Item No. 1C
	Item No. 2B and C

ACCEPTANCE OF COUNCIL ACCEPTED THE IMPROVEMENTS IN "HUTCHINS STREET
"HUTCHINS IMPROVEMENT PROJECT, VINE TO TOKAY", AND DIRECTED THE PUBLIC
STREET IMPROVE- WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION THEREON.

CITY OF LODI

BIDS FOR ASPHALT MATERIAL

SUPPLIER	ITEM NO. 1 Dense Grade Asphalt Concrete, Type B 3/8". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt.			ITEM NO. 2 Dense Grade Asphalt Concrete, Type B 1/2". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt.		
	A F.O.B. Plant (400 Tons)	B Stockpile City Limits (400 Tons)	C Hopper of Paver (300 Tons)	A F.O.B. Plant (50 Tons)	B Stockpile City Limits (100 Tons)	C Hopper of Paver (100 Tons)
<u>Claude C. Wood Co., Clements</u>						
Cost Per ton including tax	\$ 21.20	\$ 24.54	\$ 26.02	\$ 20.94	\$ 24.27	\$ 25.76
Plus: City cost for mileage	<u>4.85</u>	<u> </u>	<u> </u>	<u>4.85</u>	<u> </u>	<u> </u>
TOTAL	26.05	24.54	26.02	25.79	24.27	25.76
<u>Granite Construction Co., Stkn</u>						
Cost per ton including tax	\$ 21.20	\$ 24.65	\$ 25.33	\$ 20.14	\$ 23.99	\$ 25.40
Plus: City cost for mileage	<u>6.28</u>	<u> </u>	<u> </u>	<u>6.28</u>	<u> </u>	<u> </u>
TOTAL	27.48	24.65	25.33	26.42	23.99	25.40

Continued October 6, 1983

Council was apprised that the contract had been awarded to Granite Construction of Stockton on July 6, 1983 in the amount of \$122,778.25 and has been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract price was \$198,411.65, the difference being due to \$70,907.55 for the replacement of the 18" sanitary sewer and a 5% overrun in asphaltic concrete.

LANE LINE SPECS COUNCIL APPROVED THE SPECIFICATIONS FOR ANNUAL LANE LINE
APPROVED PAINTING AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE
FOR BIDS THEREON.

PUBLIC HEARINGS Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider:

- a) The proposed uses of Revenue Sharing Funds as they pertain to the City of Lodi for 1983-84.

City Manager Graves presented the following proposed Federal Revenue Sharing Budget for 1983, including his comments concerning the subject proposed budget:

PROPOSED
FEDERAL REVENUE
SHARING BUDGET
1983

PROPOSED FEDERAL REVENUE SHARING BUDGET 1983

Federal Revenue Sharing funds available for budgeting under the entitlement period ending September 30, 1983 is \$509,378. The extension of the Revenue Sharing Program appears favorable, but Congress has yet to take final action. The 1984 Capital Budget will provide for expenditures authorized by the new legislation, if and when it passes.

The following budget recommendation includes equipment discussed during Annual budget preparation, projects already approved, and some projects which should be undertaken as early as possible where timing for next spring becomes an element for consideration. Another consideration is the size of contract or type of contract bidder. Revenue Sharing rules require compliance with Davis-Bacon law for construction contracts. Many small contractors might be excluded from bidding because the administrative burden of compliance is too great. Also I favor the use of revenue sharing funds for studies and projects which are undertaken for the purpose of reducing future costs of government or aiding the city to comply with state or national policies or goals.

We also determined that the rules permit the city to use Revenue Sharing funds to reimburse the general fund for expenditures after contracts are let or funds expended, such as the Stadium parking lot.

The recommended budget is as follows:

Equipment

Blue Dot Pavement Markers (Fire)	\$ 2,400
Plectron Pocket Pagers (Fire)	600
Washer Dryer (Fire)	650
Personnel Lift (PW)	2,500
Microcomputer & Software (PW)	9,500
30 tables & 300 chairs (Rec)	<u>\$ 5,000</u>

Special Studies \$ 20,650

Computer-Plan \$ 12,300

Projects

Telephone System	\$250,000
Stadium Parking Lot	143,000
Beckman Park Pump Station - Cleanup and Replant	11,000
Turf Repairs at Kofu & Lawrence School	8,250
Solar Panels at Fire Stations 2 and 3	3,000
Air Conditioning System - Hale Park	50,000
	<u>\$465,250</u>
	\$501,100

Mr. Stan Harkness, 700 Cardinal, Lodi, President of the 50 Plus Club addressed the Council supporting the proposed budget item for an air conditioning system at Hale Park

There were no other persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

ORD. NO. 1300
INTRODUCED

Following discussion, Council Member Pinkerton moved for introduction of Ordinance No. 1300 adopting the Federal Revenue Sharing Budget for 1983 as heretofore set forth. The motion was seconded by Council Member Murphy and carried by unanimous vote.

Notices thereof having been published in accordance with law and affidavits of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider:

- a) The Lodi Planning Commission's recommendation that the Lodi City Council certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation for the proposed rezoning of the parcel at 320 South Ham Lane from R-1, Single-Family Residential to R-GA, Garden Apartment Residential.
- b) the Recommended approval of the request of Dan H. Radke, on behalf of the Emanuel American Lutheran Church to rezone the parcel at 320 South Ham Lane from R-1, Single-Family Residential to R-GA, Garden Apartment Residential.

REZONING OF PARCEL
AT 320 SOUTH HAM
LANE FROM R-1 TO
R-GA

CC 53(a)
cc 149

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area and responded to questions as were posed by members of the Lodi City Council.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

On motion of Council Member Pinkerton, Reid second, Council certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation for the proposed rezoning of the parcel at 320 South Ham Lane from R-1, Single-Family Residential to R-GA, Garden Apartment Residential.

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No. 1301 rezoning the subject parcel at 320 South Ham Lane, Lodi, from R-1, Single-Family Residential to R-GA, Garden Apartment Residential. The motion was seconded by Council Member Murphy and carried by unanimous vote.

PLANNING COMMISSION

City Manager Graves gave the following report of the Planning Commission Meeting of September 26, 1983:

ITEMS OF INTEREST

1. Selected a modified version of Plan No. 3 of the Tentative Subdivision Map of Sunwest IV as the map which it would approve with conditions at its meeting of Monday, October 10, 1983.
2. Conditionally approved the request of Margaret A. Kirkpatrick for a Use Permit for a home daycare center for between 7 and 12 children at 127 Hemlock Drive in an area zoned P-D (10), Planned Development District No. 10.
3. Conditionally approved the request of Bernice T. Uhls, for a Use Permit for a home daycare center for between 7 and 12 children at 757 Dorchester Drive in an area zoned P-D (4), Planned Development District No. 4.

COMMUNICATIONS

CITY CLERK

City Clerk Reimche apprised the Council that the City's Contract Administrator has recommended that the following claims be denied and referred back to them. Based on this recommendation, Council, on motion of Council Member Reid, Murphy second, denied the hereinafter listed claims.

CLAIMS

- a) Jerry L. Johnson DOL 5/21/83
- b) Lloyd Tindle/Marion Tindle DOL 6/18/83
- c) Emma Peters DOL 4/22/83
- d) Donald Bertalino DOL 9/27/83

LODI UNIFIED SCHOOL DISTRICT DECLARATION OF IMPACTION 1983-84 SET FOR PUBLIC HEARING

City Clerk Reimche presented a letter from Ellerth E. Larson, Superintendent of the Lodi Unified School District requesting that the Lodi City Council set a public hearing to consider the Lodi Unified School District Declaration of Impaction 1983-84. On motion of Mayor Pro Tempore Snider, Reid second, Council set the matter for hearing at 8:00 p.m. on October 19, 1983.

PUC APPLICATIONS

City Clerk Reimche presented a letter from Peter W. Hanschen of Pacific Gas and Electric Company regarding PG&E Application No. 83-98-49 requesting permission to recover, through rates, the costs to retire and decommission Humbolt Bay Power Plant, Unit No. 3.

COMMENTS BY CITY COUNCIL MEMBERS

Mayor Olson presented brief remarks regarding the recent annual League of California Cities Conference held in San Francisco.

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS

There were no persons in the audience wishing to speak on this segment of the agenda.

REGULAR CALENDAR

REPORTS OF THE CITY MANAGER

Agenda Item K-1 - "Agreement for Temporary Transfer of Geothermal Project No. 2 Power" was introduced by Utility Director Dave Curry.

A lengthy discussion followed with questions being directed to Mr. Curry by Council.

AGREEMENT FOR
TEMPORARY
TRANSFER OF
GEOTHERMAL
PROJECT NO. 2
POWER APPROVED

The cost of project power compared to other source power was discussed at length and the terms of the proposed Agreement as it pertains to this matter was reviewed in detail.

RES. NO. 83-111 Following additional discussion, on motion of Council Member Reid, Snider second, Council adopted Resolution No. 83-111 approving an Agreement for the Temporary Transfer of NCPA Project No. 2 Power and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. The motion carried by unanimous vote.

Agenda Item K-2 - "Award - Contract for Telephone System" was introduced by Assistant City Manager Glenn. Mr. Glenn apprised the Council that on Wednesday, September 28, 1983, three bids were received and opened for the City's proposed new telephone system. The bid prices for the system, responsive to the Request for Proposals (RFP) (exclusive of options) were as follows:

Continental Telephone	\$142,925.96
Com Systems	\$160,915.00
Pacific Telephone	(Rental Only - 5 year - Rental cost - \$252,804.57)

Council was further apprised that the bid proposals were examined technically. Pacific Telephone was non-responsive in that they did not offer to sell the equipment to the City; the equipment (Centrex) is not a modern state of the art programmable software driven switch and many conditions about City control of the equipment could not be met. The Com Systems' equipment basically meets the specifications and is acceptable equipment, however, Com Systems did register about 14 technical minor exceptions to the specifications or terms. The Continental Telephone submittal was totally responsive (except for one minor point calling for charges for after hours emergency maintenance during warranty period -- this is being clarified and should be deleted).

Continental Telephone proposed a Northern Telecom Model SL-1 switch and system which is top of the line and about the finest available. It has a great deal of future capability, including the ability to interface computer terminals with telephones without the need for special computer wiring and cables.

The RFP called for conventional telephone instruments with optional pricing for multi-function electronic instruments. The NEAX-22 VS switch proposed by Com Systems was not presented as being capable of supporting fully electronic instruments, whereas Continental has agreed to include fully-digital electronic instruments in their submitted bottom line price of \$142,925.96.

Now that the bid process is complete, it is necessary to finalize the system in order to get an accurate price from the vendor to be able to execute a contract for the system. Dr. Richter and his associates have conducted a review of the requirements for each City Department and now have a final count on the number of station lines, instruments and special features to present to Continental Telephone. In trying to estimate a final cost for this contract and system, including in several features to allow future date

by \$15,000 to \$160,000. An energy management option was included for \$42,000. The City engineers will have to evaluate whether the energy cost savings figure of \$17,000 annually is true. You may want to include \$5,000 for consultant services to supervise implementation and acceptance. Dr. Richter also recommends obtaining MUX equipment to put the Stockton lines on County microwave. That will run about \$8,644.60.

Council was further apprised that Staff concurs with Dr. Richter's recommendation that the City select Continental Telephone as the vendor for the City's new telephone system. The City cannot award a total cost, as the final configuration has not yet been determined.

Staff further recommended that the City retain Dr. Richter through the installation and implementation phase at a cost not to exceed \$5,000.00.

A very lengthy discussion followed with questions being directed to Staff.

Mr. Joe Daly of Pacific Telephone Company addressed the Council speaking on behalf of his company's bid.

Mr. Ron McLarren, District Marketing Manager of Continental Telephone addressed the Council on behalf of their bid.

Further discussion followed.

Call
NEW CITY
TELEPHONE
SYSTEM
12/6
100000
SUCCESSFUL
VENDOR SELECTED

On motion of Council Member Murphy, Olson second, Council adopted Resolution No. 83-112 selecting Continental Telephone as the successful vendor of the City's telephone system and authorized continuing with negotiations for the installation of this system, the cost of which system is not to exceed \$250,000.

RES. NO. 83-112

Further, on motion of Council Member Reid, Murphy second, Council authorized the City Manager to enter into a Letter Agreement with the Richter Group to oversee the installation and implementation of the system for a price of \$5,000.00.

With the tacit concurrence of the City Council, the following items were removed from the Agenda:

ITEMS REMOVED
FROM AGENDA

- a) Item K-3 - Receive for filing Financial Statements for Fiscal Year 1982-83 from Auditors Ernst and Whinney.
- b) Item K-5 - Discussion and appropriate action regarding Cochran Road Street work.
- c) Item K-6 - Approve Modifications to Woodbridge Irrigation District Agreement.

AGREEMENT RE
DELINQUENT REAL
PROPERTY TAXES
AND SPECIAL
ASSESSMENTS IN
CLUFF/TURNER
ASSESSMENT
DISTRICT NO. 1

Following introduction of the matter by City Attorney Stein, Council, on motion of Council Member Pinkerton, Reid second, adopted Resolution No. 83-113 approving an Agreement with Frank and Helen Alegre regarding the payment of delinquent real property taxes and special assessments on various parcels in the Cluff/Turner Assessment District No. 1.

RES. NO. 83-113

ORDINANCE AMEND-
ED RE ACCEPTIONS
OR REJECTIONS OF
DEDICATIONS FOR

Following introduction of the matter by City Clerk Reimche, Council, on motion of Council Member Pinkerton, Reid second, introduced Ordinance No. 1302 amending Ordinance No. 1167 thereby pursuant to Sate Statute authorizing either the City

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ORD. NO. 1302 and easements that are set forth on a parcel map. The
INTRODUCED motion carried by unanimous vote.

ORDINANCES Ordinance No. 1299 - An Ordinance Amending Section 27 of the
Lodi Municipal Code which would permit, under specific
AMENDING conditions, construction of second living units in areas
SEC. 27, WHEREBY zoned R-1, R-2, and R-LD having been introduced at a regular
UNDER SPECIFIC meeting of the Lodi City Council held September 21, 1983 was
CONDITIONS brought up for passage on motion of Council Member Murphy,
CONSTRUCTION OF Reid second. Second reading of the Ordinance was omitted
SECOND LIVING after reading by title, and the Ordinance was then adopted
UNITS IN AREAS and ordered to print by the following vote:
ZONED R-1, R-2
AND R-LD ARE
PERMITTED

Ayes: Council Members - Murphy, Pinkerton, Reid, Snider,
and Olson (Mayor)

Noes: Council Members - None

ORD. NO. 1299
CC 1480,
CC 149
Absent: Council Members - None

ADJOURNMENT

The Council adjourned to a Closed Session at approximately
10:22 p.m. to discuss matters pertaining to Litigation and
Personnel (Labor Negotiations). The meeting was immediately
adjourned following the Closed Session.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk